

# Notice of Allowability

Application No.

10/764,727

Examiner

Michael P. Stafira

Applicant(s)

WILSON, DAVID J.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing date 1/26/2004.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 1/26/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-23 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art fails to disclose or make obvious a clogged filter detector having a receiver including a sensor disposed to be contacted by said light beam after passing through said filter and further including means to provide an electrical signal representative of optical transmittance through said filter, said receiver and said filter aligned off-set from one another and said light beam non-parallel to air flow direction, and support means for holding said transmitter and said receiver in an aligned position with respect to a selected area of said filter, said support means including a bracket comprising at least a first strip connectable to a said receptacle plate and said first strip being disposed for placement between a said plate and an edge portion edge of said filter upon insertion of the filter, and a first arm connected to said first strip and extending to a position opposing a face of said filter, and in combination with the other recited limitations of claim 1. Claims 2-14 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 15, the prior art fails to disclose or make obvious a clogged filter detector having a receiver including a sensor disposed to be contacted by the light beam after passing through the filter and support means for holding said transmitter and said receiver in an aligned position with respect to a selected area of said filter, said support means including a bracket comprising a first strip conforming to a said receptacle plate and at least one side strip connected to a said ledge and said first strip being disposed between a said plate and a side edge

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of a said filter upon insertion of the filter, and a first arm connected to said side strip and extending to a position opposing a face of said filter, and in combination with the other recited limitations of claim 15. Claims 16-19 are allowed by the virtue of dependency on the allowed claim 15.

Regarding claim 20, the prior art fails to disclose or make obvious a clogged filter detector having a receiver including a sensor disposed to be contacted by said light beam after passing through said filter and further including means to provide an electrical signal representative of optical transmittance through said filter, and support means for holding said transmitter and said receiver in an aligned position with respect to a selected area of said filter, said support means including a first arm attached to a said retaining ledge and at least one side strip connected to a said rigid plate and a second arm attached to said side strip and upon insertion of the filter, movable into aligned position with respect to said transmitter and said receiver, and in combination with the other recited limitations of claim 20. Claims 21-23 are allowed by the virtue of dependency on the allowed claim 20.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 571-272-2430. The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Toatley can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Michael P. Stafira  
Primary Examiner  
Art Unit 2877

November 4, 2005